

STATEMENT OF OBJECTIONS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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In re PAYMENT CARD INTERCHANGE:
FEE AND MERCHANT DISCOUNT: No. 05-MD-01720 (JG) (JO)
ANTITRUST LITIGATION:
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Statement of Objections

I am a member of the plaintiff class in the case called In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation. I am a class member because I operate

Merchant name and address:

Merchant Name: Violet Crown Cinema

Street: 1614 W 5 St

City: Austin

State: TX

Zip: 7870178703

and I have accepted Visa and/or MasterCard from...

Approximate Date: April 2011

until...

"Present," or approximate Date: Present

I object to the settlement in this lawsuit. My reasons for objecting are:

1. The proposed settlement does not address Visa's and MasterCard's price-fixing of interchange rates for the banks, the subject of the core claims in the case. The proposed settlement actually validates that practice, enabling Visa and MasterCard to continue to illegally fix fees for the banks that merchants and their customers have no choice but to pay. Our portion of the compensatory relief amounts to only a fraction of what we pay in interchange, and given that Visa and MasterCard can continue to fix interchange, they can recoup the settlement amount by raising interchange rates in the future.
2. Instead of addressing the core claims in the case, the settlement merely provides merchants with a limited ability to surcharge Visa and MasterCard credit card transactions that is of little value to us.
3. The proposed settlement includes unacceptable obligations, such as requiring us to disclose to customers at the point of sale that we are imposing the surcharge, when in fact the only reason we would charge such fees is the onerous fees set by Visa and MasterCard. The settlement also requires us to disclose to Visa and MasterCard that we are imposing the surcharge, which is an effort to intimidate us.
4. The release will not allow me to protect against mistreatment by Visa/MasterCard. It purports to cover all Visa and MasterCard rules and conduct that were in place upon preliminary approval, and all future rules and future conduct that are substantially similar to rules and conduct in place at preliminary approval. These rules are unfair and cause problems for my business.
5. Based on the outcome of the settlement, we do not believe the lawyers who negotiated it represented our best interests.

Additional Reasons for Objecting

Please check all that apply:

We operate in one for following states, CA, CO, CT, FL, KS, ME, MA, NY,

- ☒ OK and TX state(s) which prohibit surcharging of credit card transactions. Because of this law, the principal relief is of no value to us

We accept American Express transactions. The settlement limits our ability to surcharge Visa and MasterCard credit card transactions because under its proposed terms we can only surcharge Visa and MasterCard

- ☒ transactions if we also surcharge American Express transactions. However, we cannot surcharge American Express transactions under our contract with American Express. Since we cannot realistically drop American Express to avoid this limitation, this is another reason why we cannot take advantage of the surcharging relief in the settlement.

My Information is:

My Name:

First: Hope

Middle:

Last: Branch

My position: Director of Operations

Name of merchant: Violet Crown Cinema

My address:

Street: 1614 W 5 St

City: Austin

State: TX

Zip: 7870178703

My phone number: 704-5760183

[If your own lawyer is representing you with respect to the settlement] The contact information for my lawyer is:

Lawyer's Name:

First:

Middle:

Last:

Lawyer's Address:

Street:

City:

State:

Zip:

Lawyer's Phone Number:

Signature: Hope Branch
Hope Branch (Mar 21, 2013)

Email: hope@carolinacinemas.com

Dated: Mar 21, 2013

Printed name: Hope

Branch

Address:

Street: 1614 W 5 St

City: Austin

State: TX

Zip: 7870178703